



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/572,600

03/20/2006

Shuuji Yano

062272

2896

38834

7590

03/24/2008

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER

CALEY, MICHAEL H

ART UNIT

PAPER NUMBER

2871

MAIL DATE

DELIVERY MODE

03/24/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/572,600	Applicant(s) YANO ET AL.	
	Examiner MICHAEL H. CALEY	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/7/07; 5/24/06; 3/20/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida et al. (JP 2001-350022 "Uchida") in view of Nakamura et al. (JP 2002-328224 "Nakamura")..

Regarding claims 1 and 6, Uchida discloses an optical film (Drawings 1C and 1D) in which a polarizing plate (POL) and plural retardation films (PF1, PF2) are laminated so that an absorption axis of the polarizing plate is perpendicular or parallel to slow axes (12s) of the plural retardation films and the slow axes of the plural retardation films are parallel to one another.

Uchida fails to explicitly disclose the proposed ranges for N_z and R_e for each of the plural retardation films. Uchida, however, teaches ranges encompassing the proposed ranges (abstract). Equations for N_z and R_e are defined on Page 2, Paragraph [0001] of the document.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to form the retardation films to have values for N_z and R_e within the proposed ranges. Uchida teaches ranges encompassing the proposed ranges as optimized to the polarizing plate for use at wide viewing angles (Paragraph [0001]). One would have been motivated to optimize N_z and R_e within the proposed ranges to construct a polarizer optimized for use at wide viewing angles.

Uchida further fails to disclose a transparent protective film comprising a thermoplastic saturated norbornene resin as laminated on both sides of the polarizer. Nakamura, however, teaches a transparent protective film laminated on both sides of the polarizer as proposed (Paragraphs [0013], [0026]-[0027]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to form the polarizer to have protective films on both sides as proposed by Nakamura. One would have been motivated to laminate such protective films to both sides of the polarizer to benefit from improved longevity due to lower moisture absorption (Nakamura: Paragraphs [0001]-[0010]).

Regarding claim 2, Uchida teaches ranges for N_z for each of the retardation films encompassing the proposed range (Drawing 1D; abstract).

Regarding claim 3, Uchida teaches ranges for N_z for each of the retardation films encompassing the proposed range (Drawing 1C; abstract).

Regarding claim 4, Uchida teaches values for N_z of each of the retardation films such that the difference falls within the proposed range (abstract).

Regarding claim 5 and 11, Nakamura teaches the proposed retardation characteristic (Paragraph [0022]).

Regarding claims 7, 9, 10, and 14-18, Uchida as modified by Nakamura discloses the optical film as arranged on a cell substrate on a viewing side (Drawing 5A); a polarizing plate (1POL) comprising a transparent protective film laminated on both sides of a polarizer as arranged on a cell substrate opposite to the viewing side (2POL), and an extraordinary refractive index direction of a liquid crystalline substance in a liquid crystal cell and an absorption axis of the polarizing plate are parallel in a state where voltage is not applied (Uchida: Paragraph [0048]).

Regarding claims 8, 12, 13, and 19-23, Uchida as modified by Nakamura discloses the optical film as arranged on a cell substrate opposite to the viewing side (Drawing 5B); a

Art Unit: 2871

polarizing plate (1POL) comprising a transparent protective film laminated on both sides of a polarizer as arranged on a cell substrate on the viewing side (2POL), and an extraordinary refractive index direction of a liquid crystalline substance in a liquid crystal cell and an absorption axis of the polarizing plate are perpendicular in a state where voltage is not applied (Uchida: Paragraphs [0049]-[0050]).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL H. CALEY whose telephone number is (571)272-2286. The examiner can normally be reached on M-F 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David C. Nelms can be reached on (571) 272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/572,600
Art Unit: 2871

Page 6

/Michael H. Caley/
Primary Examiner, Art Unit 2871